

December 2, 2013

City of Newport Beach
Land Use Element- Advisory Committee
Ed Selich, Chairman
100 Civic Center Drive
Newport Beach CA

**COMMENTS RE. PROPOSED REVISIONS TO LAND USE ELEMENT-
PLEASE DISTRIBUTE AND ENTER INTO THE PUBLIC RECORD**

We have had the opportunity to only briefly review the proposed revisions to the Land Use Element in Attachment no. 2 of the information package, as have been submitted to the Committee for its review and discussion at the December 3, 2013 meeting. Following are our comments which we request be considered by the Committee(reference is based on handwritten page numbers).

Goal LU1- Request that language be included to read: a family oriented community serving residents and visitors.

LU 1.x3-Compatible Land Uses- request that language be included to read: Where there are areas in close proximity to residential areas, that the mix of uses be complimentary both physically and by type of use to the character that would promote use, safety and enjoyment of the commercial and marine recreational areas by residents and visitors.pg. 8

LU 3.2-Growth and Change- request that language be modified to include reference to : provide place for people to interact and enjoy an area “as a destination” –remove reference to “congregate” as this suggests assemblies and loitering which could detract from economic viability and integrity of an area. Pp. 9-10

LU 3.3Opportunities for Change: request that language be modified to include “encourage marine and outdoor oriented dining and recreational uses...” and “support the establishment of Destinations used by regular residents and visitors, while preserving the character of the dense, residential neighborhoods in close proximity to each major commercial and recreational area “. Pg. 10

LU 6.6.1 Hospital Supporting Uses integrated with residential neighborhoods- Request harmonization of Land Use and other related plans so that Medical, counselling and similar institutional-type uses are clustered and encouraged proximate to major health care facilities(eg Hoag), and not be permitted in zones where not compatible with other mix of uses—Lido Village, Cannery Village, McFadden,etc. p 22

LU 6.7.2 Marine-based businesses- request that there be policy to consider incentives for other compatible uses in marine areas which provide platform for

economic development and use by residents, visitors. Request that the City revisit the Specific Plan for Cannery Village and McFadden, expand to include Lido Village, and provide specific mix of permitted and not permitted uses. Also recommend that “marine uses” be expanded to include all waterfront recreation considering bay and ocean beaches, and the entire menu of recreational outdoor activities, not just boating.P. 29

Districts in Marine area(Lido, Cannery, McFadden, Balboa Village—
Comments refer to pp. 29-34

Provide for mix of uses which serve family residential and visitors, promote economic vitality, are environmentally sustainable, and which do not have adverse impact on nearby residential neighborhoods.

Recommended permitted Uses:

- Hotel
- Restaurant
- Retail boutique
- Recreational
- Entertainment-Cultural

Recommended incompatible uses:

- Tattoo parlors
- Bars
- Medical(counseling, physician,etc)
- Religious and other institutional

Establish Concentration parameters for certain uses: bars

Establish program for amortization for Non-conforming uses to facilitate transition to compatible mix of uses. No automatic or implicit “grandfathering”. Any use subject to CUP would be subject to criteria,above, and public review process.

Take measures to preserve the integrity of the surrounding residential neighborhoods(parking management, traffic,etc.)

LU 6.9 X “Vested Uses”- Replace this concept with conventionally accepted planning principles concerning conforming and non-conforming uses.

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A related topic not addressed in the Land Use Element’s current construct, but which we request be addressed includes commitment to adherence and compliance with Plan goals and provisions.

I appreciate the Committee’s consideration of these important principles and proposed modifications to the draft Land Use element, and their incorporation into this, the Local Coastal and Specific Plans.

Denys H. OBERMAN-Resident and Community Stakeholder